Updates on IEP Health Assessment/ Medical Review

May 10, 2013
Cook County- Public Health Update for School Nurses

Presented by:
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Update: IEP Health Assessment / Medical Review

Objectives:

- Review the current and proposed ISBE requirements that indicate who can conduct the medical review

- Discuss best-practice in conducting the IEP health assessment/medical review
What is Medical Review/IEP Health Assessment?

The evaluation of a child’s known or unknown health or medical conditions and the determination of whether these conditions affect the ability to learn.
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- IDEA 2004 §300.1 states that the purposes of this part are to ensure that all children with disabilities have available to them a FAPE that emphasizes special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living.

- It is important to make sure that students are adequately evaluated.

- Health conditions are rarely visible; think: “Universal Precautions”
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- **Health** is an identified Domain along with Academic Achievement, Functional Performance, Cognitive Function, Communication Status, Hearing & Vision, Motor Ability, Motor Ability and Social/ Emotional Functioning which requires evaluation for students who are assessed for eligibility for special education services.

- **Medical Review** is the term used in Illinois school code to describe the evaluation for issues involving health conditions.
What are the components of Health Assessment/ Medical Review?

Medical Review is multi-faceted, depending on the child.

- Includes health history, school and medical record review, consultation with health care providers, student observation, etc.
- An assessment of the whether the child’s health condition is impacting ability to learn***
- Suggestion of needed accommodations & related services.***
So….

Who is Prepared to Conduct a Medical Review?

Registered Nurse?
Certified School Nurse?
Physician or Advance Practice Nurse?
Social Worker?
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In 2010 school rules regarding who can conduct a medical review were changed.

Currently, the following individuals are authorized to conduct a medical review in Illinois Schools:

- School Service Personnel Certificate endorsed for school nursing
- A license to practice medicine in all of its branches
- A license under Section 60 or 65 of the Nurse Practice Act [225 ILCS 65].
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Beginning in July 1, 2013 the school rules are amended to describe who can be involved in the medical review:

- A School Service Personnel Certificate endorsed for school nursing
- A license to practice medicine in all of its branches
- A license issued under Article 60 or Article 65 of the Nurse Practice Act and a bachelor’s degree or higher.

HOWEVER.....
Only a person holding a School Service Personnel Certificate endorsed for school nursing shall make recommendations regarding educational interventions, accommodations or modifications based on the findings of the student’s medical review.

- the certified school nurse is “exercising instructional judgment or conducting an educational evaluation” (105 ILCS 5/10-22.23) when he or she makes any “recommendations regarding educational interventions, accommodations or modifications” (23 IAC 226.840).
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- This rule change allowed professional registered nurses to continue participating in the health assessment/ Medical review

- Also, recognized the need for additional formal training (certification) for those personnel who determine the accommodations for a child with a health need which affect their ability to learn.
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Due to concerns “from the field” about districts’ ability to meet the July 2013 requirement new rule changes have been proposed and are open for comment until June 3, 2013.
Proposed new rule changes would go into effect on July 1, 2015

Addresses:
- Revised qualifications for those conducting medical review
- Clear description of components of the medical review
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PROPOSED Revised Qualifications for those conducting medical review:

- Until June 30, 2015 the practitioners who are qualified to conduct a medical review that addresses each of the components listed in subsection (a) of this Section shall be limited to:
  - An individual who holds a professional educator license endorsed for school support personnel in school nursing
  - An individual licensed to practice medicine in all of its branches
  - An individual licensed as a registered professional nurse pursuant to Article 60 and 65 of the Nurse Practice Act
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Beginning July 1, 2015, the practitioners who are qualified to conduct certain components of the medical review, as identified in this subsection shall be limited to:

- An individual who holds a professional educator license endorsed for school support personnel in school nursing
- An individual licensed to practice medicine in all of its branches
- An individual licensed as a registered professional nurse and who also holds a bachelor's degree in nursing, education or a related field
- An individual licensed as an advanced practice nurse

PROVIDED HE OR SHE>>>>

UIC COLLEGE OF NURSING
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- Successfully completes a training course specific to special education laws and regulations and students with disabilities that is approved by the State Board of Education

  OR

- Passes the content area test for the school nurse endorsement

  (One of these will be required for RN with Bachelor’s to be involved with Medical Review)
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- Retains that authorization provided he or she completes the professional development required at 23 Ill. Adm. Code 25.275

- Additional rule change are also written to address situations where a district cannot find a certified nurse to hire.
The proposed rule changes also includes a clearer definition of the medical review requirement:

- In accordance with 34 CFR300.34(c)(4), any student who is being evaluated or re-evaluated for special education services shall be assessed in all areas related to the suspected disability, including, if appropriate, health, vision, hearing, social and emotional status, communicative status and motor abilities. The results of the medical review shall be used by the IEP team to address any educationally relevant medical findings or other health concerns that may affect the provision of FAPE to students with disabilities.
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The medical review shall consist of the following components:

1) **Subjective information** if relevant, which may include:

   A) a description of the perceptions that the parents and student, as applicable, have regarding the student's health;

   B) a health history of the student from the parents; and

   C) a description of perceptions of the student's teachers relative to how the student's health may be affecting his or her academic performance or access to the curriculum.
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2) **Objective information**, if relevant, which shall include:

A) a summary of information contained in the student's health record and the record of other health-related information, as defined at 23 Ill. Adm. Code 375.10 (Definitions), about his or her prior and current health conditions; and

B) a summary of any relevant health-related information obtained from records provided by or requested from the student's parent,
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3) Nursing services, if relevant, which shall include the identification of the school health services or school nurse services necessary to enable a student with a disability to receive FAPE as described in his or her IEP.

4) Educationally relevant medical findings, which shall include the identification of the medical conditions and other health-related issues that are likely to adversely affect a child's educational performance.
5) Recommendations, which shall include an analysis of the information gathered for the purpose of:

- A) determining the medical, school health and/or school nurse services that should be provided during the school day; and

- B) developing a proposed plan that provides for specific accommodations, modifications or interventions to be implemented when educationally relevant medical, school health and/or school nurse findings are made, which shall include annual goals, short-term objectives and ongoing evaluation.
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**Resources / More Information:**
IDEA 2004 law:

Current School Code:
Pg. 117 section 226.840

Proposed Rule Change:
http://www.isbe.state.il.us/rules/proposed/ (Text and Summary- look for Special Education Part 226)

**To send a comment email: rules@isbe.net by June 3**

ISBE guidance related to who can conduct medical review:
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Please direct additional questions regarding implementation of Rule 226 to Jessica Gerdes, Principal Consultant at ISBE for School Nurse and Health Issues.

Email: jgerdes@isbe.net
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THANK YOU!!